

VIRGINIA:

BEFORE THE BOARD OF DENTISTRY

IN RE: KENT M. STEVENS, D.D.S.
License No. 0401 - 004491

ORDER

Pursuant to § 2.2-4020, § 2.2-4021, § 54.1-110 and § 54.1-2400(11) of the Code of Virginia (1950), as amended, a formal administrative hearing of the Virginia Board of Dentistry ("Board"), composed of a panel of the members of the Board, was held on January 28, 2011, in Henrico, Virginia. Dr. Stevens was present and was represented by R. Glen Morgan, Esquire. The case was prosecuted by James Schliessmann, Assistant Attorney General. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel to the Board. The proceedings were recorded by a certified court reporter. The purpose of the formal hearing was to receive and act upon evidence concerning the allegations set forth in the Board's Notice of Hearing and Statement of Particulars, dated December 6, 2010.

FINDINGS OF FACT

After consideration of the evidence and testimony presented, the Board makes the following findings of fact by clear and convincing evidence:

1. Kent M. Stevens, D.D.S., holds license number 0401-004491 issued by the Board to practice dentistry in the Commonwealth of Virginia on June 6, 1973. Said license expired on March 31, 2010, due to non-renewal.

2. During the period that he was employed at Hiram Davis Medical Center ("HDMC") from approximately 1991 through 2009, Dr. Stevens treated residents of Southside Virginia Training Center ("SVTC") who have behavioral, health and developmental disabilities.

3. By his own admission, Dr. Stevens' ability to provide adequate dental care was limited due to the patients' uncooperativeness and the unavailability of sedation. This statement was confirmed by the

testimony of a former contract employee, Robert Campbell, D.D.S., who administered general anesthesia at HDMC. Dr. Campbell holds current dental licensure and registration as an oral and maxillofacial surgeon in Virginia. Dr. Stevens further testified that institutional factors, including lack of anesthesia and anesthesiologists, severity of patients' medical problems, the complexity of patient drug regimens, limitations on the use of restraint, and the lack of sufficient staff, affected his ability to provide care to SVTC patients. Dr. Stevens' further testified that although the patients were required to be seen on a regular basis, the provision of anything other than a limited dental examination was dependent upon the availability of anesthesia to appropriately treat the patients. Notwithstanding the possible institutional limitations, Board statutes and regulations mandate that a dentist document in the patient record the basis for all treatment options and decisions.

4. With respect to Patients A - L, by his own admission, Dr. Stevens regularly failed to perform full mouth periodontal charting, treat periodontal disease, obtain radiographic evidence of acute pathology by recording dental status, actions taken, or outcomes. Dr. Stevens further failed to document in the dental records any factors limiting treatment.

5. While providing dental services to Patients A-L, Dr. Stevens failed to consistently include the patients' names on the treatment notes and to document that he had read or reviewed the patients' health history.

6. While providing dental services to Patients D, J and K, Dr. Stevens failed to diagnose and treat decay based on radiographic evidence. He further failed to diagnose and treat Patient C for a periapical cyst.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that:

1. Finding of Fact #4 constitutes a violation of § 54.1-2706(5) and (11) of the Code.

2. Finding of Fact #5 constitutes a violation of § 54.1-2706(9) of the Code and 18 VAC 60-20-15(1) and (2) of the Board of Dentistry Regulations.

3. Finding of Fact #6 constitutes a violation § 54.1-2706(5) and (11) of the Code.

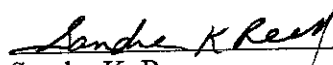
ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that Dr. Stevens' privilege to renew his license is hereby INDEFINITELY SUSPENDED.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code of Virginia (1950), as amended, the signed original of the Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Kent M. Stevens, D.D.S., has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Sandra K. Reen, Executive Director, Board of Dentistry, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD:


Sandra K. Reen
Executive Director
Virginia Board of Dentistry

ENTERED: February 14, 2011